

It Looks From Here

By Betty Donaldson

Recently the Judicial Department of the United States was thrown into the public consciousness when the Supreme Court nullified some of the principal phases of Mr. Roosevelt's New Deal program, thus showing conclusively who has the last word in our government today. Again more recently, and even more turbulently, the nation became aware of that august body when the Democratic party was split wide open by the Senate fight over the President's Bill to renovate the Supreme Court, and to shear the Nine Old Men of most of their power. Knowledge of what has precipitated these Supreme Court Judges into the strategic and somewhat precarious positions which they now occupy, by which they can act as chaperones to Congress and the President would presuppose an acquaintanceship with the Constitution and with the consequences of what our Constitution Fathers didn't say about the judiciary. What did the members of that Constitutional Convention of over a century ago mean by those flexible clauses concerning the Judiciary—those clauses which have been twisted and contorted into arguments both for and against the theory of judicial review. This theory is in the last analysis, what the squabble is all about.

The theory of judicial supremacy is uniquely American. Other nations have thought of endowing various other departments in their governments with the power of the final word, but the United States evolved something heretofore untried when the Supreme Court finally was recognized as the papa of all the departments in the government. Judicial review, one phase of judicial supremacy, is the practise by which the Supreme Court is the arbiter between the law making body of the nation and the people. If Congress steps beyond the rights delegated to it, and passes a law which is contrary to the dictates of the Constitution, the people who are affected by this law can assert their Constitutional rights, and carry the case to the Supreme Court. The Supreme Court thereupon interprets or construes the Constitution, or some clause. Court thereupon interprets or congress has grievously erred and ought to be ashamed of itself, or that the plaintiffs are most presumptuous persons, and can now go back from whence they came with the assurance that Congress and the Fathers of the Constitution were in perfect accord on the incident in question. In the latter case, the said Fathers, not being present to explain their point of view, Congress, Franklin, Hamilton and Jefferson are forthwith resuled to be co-thinkers, and the Constitution goes on as before, the immortal Supreme Law of the Land, whose framers foresaw every contingency which might befall the nation and thereupon provided for said contingency in some elastic and convenient clause.

As a matter of fact, the Constitution Fathers did not ever decide what they did mean about the question of judicial review. They never came to a showdown as to whether that or which they sired, the Supreme Court, would have the right to re-examine the acts of Congress which were passed before it with an eye to determining the constitutionality of or not. They did what is commonly and facetiously known as passing the buck. As part of them were on one side and part of them on the other, they decided that, instead of breaking up some beautiful friendships at the Convention by arguing the point then and there, they would let posterity battle the question out, which they have, more or less continuously, since the Constitution was written.

Either construction, pro or con, on (Continued on back page)

The Colonnade

Vol. XIII

Georgia State College for Women, Milledgeville, Ga., December 11, 1937

Number 10

Human Relations Institute To Be Held Next Month

REGISTRATION FOR WINTER QUARTER

Wednesday, December 15, 2:00-5:00 Freshmen will register in groups at 2:10.

Normal Diploma and B. S. Ed. Library Basement.

Home Economics—Chappell 7.

Secretarial Training and B. S. Secretarial Science—Parks 10.

A. B. and B. S. (French)—Arts 19.

A. B. and B. S. (Spanish)—Arts 21.

A. B. and B. S. (Latin)—Arts 1.

A. B. (Music)—Mr. Noah's Studio.

Nursing Special—Parks 30.

All other classes—Library reading room—2:00-5:00.

Students now in college will be charged a fee of \$1.00 for the privilege of making a schedule after the Christmas holidays. Changes will be permitted without penalty.

Seniors Present White Christmas Tableau Monday

The Senior Class will present a White Christmas program Monday morning in chapel. This program is an annual affair with the class, being instigated by the class when the students were Freshmen.

The program will take the form of a tableau with the characters assisted by a choir and reader.

Included in the choir are Frances Stovall, Flora Haynes, Dot Brown, Margaret Fowler, Bonnie Burge, Anna Brown, and Catherine Hopkins. Valie Enloe will act as organist for the program.

Lib Donovan will give readings, and Bonnie Burge will give a solo. Mary Kethley will conduct the devotional.

Lois Hatcher is chairman of the committee in charge of decorations.

Class of '39 Gives Traditional Party For Children

Fifty-eight children of Milledgeville and vicinity were guests of the class of '39 at their annual Christmas party this afternoon. The features of the afternoon were the immense Christmas tree and the appearance of Santa Claus to distribute the presents.

Before the presents were distributed, a program was presented, and later in the afternoon, ice cream and cake were served.

Every member of the Junior class participated in the party, by helping to fill a stocking. The stockings were made by Juniors, and filled by them working in units according to suites in the dormitories.

The chairmen of the committees were: Committee to Make Stockings, Mignon Sewell and Eloise Tarpley; Christmas Tree Committee, Ruth Van Cise; Committee to Distribute and Gather Stockings, Catherine Nelson; Program Committee, Eleanor Peebles. Virginia Shoffelt played the role of Santa Claus.

Contracts Let For Four Buildings Including P. E. and Music Halls

Effort Being Made To Restore Original Arrangement of Mansion and Secure Period Furniture; Salon Will Be Restored.

Contracts for a dormitory and a new practice school have been let, as well as contracts for a Music and Physical Education Building. Elliott Dunwody, of Macon, will be the architect in charge.

Claussen-Lawrence of Augusta have been commissioned on the Physical Education buildings, while tentative arrangements have been made for the Griffin Construction Company of Atlanta to have charge of the Music building.

Listed among the immediate needs for buildings at GSCW are a Science Hall with classrooms and laboratories, a practice school building with a high school division, a dormitory for 200 students, an auditorium for the music building, a student activity and alumnae building for Y. College Government, Alumnae, Recreation, a Home Management House, com-

pletion of Beeson Hall, extension of library space, and extension of dining room space.

Ultimately it is expected that other needs will rise into prominence, among these being an administration building, a commerce building, another dormitory, a laundry, faculty apartments, and a central dining hall.

A renovation program is being instigated at Mansion, in an effort to restore the building to its original arrangement and to obtain as much furniture belonging to the period of the building as possible, if it is not possible to obtain the original furniture. In order to reinstate the old salon in Mansion, a partition is being removed between two rooms. Baths are being placed in Mansion Dormitory.

Garbutt, Jernigan and Forbes To Go To National Conventions

G. S. C. W. Represented at National Assembly of Student Christian Associations and National Student Federation Association.

Margaret Garbutt and Marguerite Jernigan of the Y. W. C. A. and Virginia Forbes of College Government Association have been selected to represent the college at the National Assembly of Student Christian Associations meeting in Oxford, Ohio, and the National Student Federation Association meeting in Albuquerque, New Mexico, respectively. Both meetings will be held December 28-January 1.

The National Assembly of Student Christian Associations will be held at the University of Miami in Oxford, Ohio. It is the first convention of its kind to which G. S. C. W. has sent delegates.

Margaret Garbutt is going, not only as a delegate from the local Y. W. C. A., but also as a member of the National Student Council of Y. W. C. A. from the southern region. While she is there she will attend the meeting, in addition to various other activities. These commissions are those dealing with the part that Student Council plays in College Government, and the Structure of Student Council.

Christmas Entertainments on Campus Include Frosh Dinner, Dorm Parties

Freshman Class Attend Traditional Freshman Dinner; Bell Hall Entertains at Open House for Seniors. Other Dorms Have Parties.

The third Freshman banquet was given December the eighth in Atkinson Dining Hall at seven o'clock. This banquet is a traditional Christmas project of the Freshman class. A program of carols was given between the courses, climaxed by a tableau of the nativity. Guests of honor included Dr. and Mrs. Guy Wells; Mr. and Mrs. L. S. Fowler; Mr. and Mrs. Miller S. Bell; Miss Ethel Adams; Miss Iva Chandler; Mrs. Beaman, Mrs. Key; Mrs. Christian. Freshman class officers and Freshman dormitory of-

Smith, Kester, Johnson, Smart, Carmichael and Rivers To Speak

NOTICE!

This issue, Number 10, of the Colonnade, will be the last number to be put out before Christmas holidays. According to custom and the statement of the masthead of the paper, there will not be a paper during examination week.

The publication of the Colonnade will be resumed, according to regular schedule, the first week after school starts in January. The date of the issue will be Saturday, January 8.

Interne reporters are asked to come by the staff-room for assignments Tuesday, January 4. Deadline for copy will be Thursday afternoon, January 6.

Nativity To Be Vesper Theme Sunday Night

"The Nativity" will be presented at Vespers Sunday night, December 13, at 6:45. The cast of the tableaus will be assisted by the Vesper choir singing appropriate carols.

Tableaus for the program are as follows:

I. Annunciation—Mary and the Angel.

II. Watching Shepherds—Shepherds and Angels.

III. Manger of Bethlehem—Mary Joseph, Angels, Shepherds and Wise men.

IV. Finale—"O Come All Ye Faithful".

(Audience join in singing).

The characters for the tableau are: Mary, Martha, Pool; Joseph, Joan Butler; Readers, Leila Griffith and Hilda Fortson; Wisemen, Katherine Kirkland, Jeanette Bryan, Catherine Hopkins; Shepherds, Mary Elizabeth Elarbee, Jean Purdon, Betty Lott, Elizabeth Barnhill, Jean Mann; Angels, Dorothy Holman, Virginia Roach, Jeanette Pool, Pheobe Smith, Joyce Mickle, Helen Wynn, Ruth Van Cise, Mary Frances Moore; Gabriel, Grace Drewry; Children, Anne Wells, Kitty Marie Smith, Billy Walden, Frances Binion, George Kemp Walters.

Dr. O. C. Carmichael, of Nashville, Tennessee, Chancellor of Vanderbilt University, will talk on the "Education for the New Citizenship."

Dr. Buford Johnson, head of the Department of Psychology at Johns Hopkins University, will speak on the "Psychological Adjustment of the New Citizen". G. S. C. W. students will be interested to learn that Dr. Johnson was at one time a student at G. S. C. W. While she is on the campus, the A. A. U. W. will cooperate with the Y. W. C. A. in entertaining her.

Dr. W. A. Smart of Emory University (Continued on back page)

Cocking Addresses Education Dinner Thursday Night

Dr. W. D. Cocking was the main speaker at the annual Christmas dinner of the Education Department, which was given in the college tea room Thursday night. Dr. Cocking is Dean of the School of Education at the University of Georgia, and for the past year he has been connected with the President's Advisory Commission of Education in Washington. He has been on the State Commission of Education in Tennessee and has been professor at Peabody. He is very interested in building up a Graduate School of Education at Georgia. He was accompanied by Mrs. Cocking and Dr. Charles Gilmore, a member of the staff of the President's Committee on Education.

Miss Maggie Jenkins was toastmistress at the occasion. Guests were introduced and a welcome address made by Dr. Guy Wells. Mrs. L. P. Longino gave several solos and Dr. Cocking was introduced by Dr. Harry Little. The guests joined in singing Christmas carols.

Creche is Scene of Christmas Display In Beeson Hall

One of the most interesting decorations to be seen on the campus this season is the beautiful creche in a corner of the Beeson Reading Room.

Pins are effectively arranged in the background and around the platform to form the setting. A guardian angel is seen appearing to the shepherds who are keeping watch over their sheep which graze on the sloping rocky hillside in the surrounding country. Mr. Herbert Massey constructed this so the shepherds and magi revolve through the manger to pay tribute to the Christ Child who is surrounded by Mary, Joseph, and the cattle.

(Continued on back page)

Seein' The Cinemas

To the intelligentsia of the campus only is Seein' The Cinemas directed this week. To the other 1300 of us it is only a taunt saying, "Look what you could be seeing if you hadn't depended all quarter on last minute cramming!"

On Monday and Tuesday, the Campus offers the colorful musical, "The Firefly", starring Jeannette MacDonald with a new leading man, Allan Jones. Jeannette MacDonald plays the part of a Spanish entertainer in the seventeenth century who is, sub rosa, a spy for Ferdinand of Spain. In the uncanny manner in which events frequently happen in the minds of Hollywood producers, Miss MacDonald picks out of the horde of men in Spain in her day, Allan Jones to fall in love with. He is by some quirk of fate, a French spy. The two young people prove congenial and the action moves merrily on from there.

"The Duke" is scheduled to come back on Wednesday as an incentive to entice footsteps to the Campus. "The Duke Comes Back" is the Saturday Evening Post story of a prize fighter with financial difficulties and a socialite wife who is fundamentally opposed to pugilism.

Thursday and Friday, in case you are among those present, you may go to "The Big City" with Spencer Tracy and Luise Rainer. "The Big City" is a story of deep intrigue in the ranks of rival New York taxi-cab companies. Spencer Tracy plays his usual convincing part in the role of an honest but tough working guy. Luise Rainer, his wife, still has appealing eyes, and a husky voice. Charley Grapewin and Janet Beecher are among those in the supporting cast.

INSTITUTE OF HUMAN RELATIONS

(Continued from page one)

city, well-known as an educator throughout the South, will be the Institute's closing speaker. He is to deliver an address on the morning of January 30, and will close the Institute that night at the vespers service.

This is the second year that the Institute has been held on the G. S. C. W. campus. Last year the theme of the Institute was "Student Responsibilities in Social Change", and the principal speakers were Dr. Arthur Raper, sociologist, Gay B. Shepperson, State FERA director, Dr. Philip Weltner, president of the Ruralist Press, and Dr. Thomas C. Barr, Presbyterian pastor of Nashville, Tennessee.

If the Institute meets with as much success as it did last year, the Y. W. C. A. hopes to have it become an annual event on the campus, according to announcement by Jane Gilmer, Y. W. C. A. Secretary.

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Milledgeville, Ga.

FRANK D. ADAMS, Mgr.

Mon., Tues., Dec. 13-14

"THE FIREFLY"

With Jeannette MacDonald, Allen Jones, Warren William.

Wednesday, Dec. 15

"THE DUKE COMES BACK"

With Allan Lane, Heather Angel, Genevieve Tobin.

Thurs., Fri., Dec. 16-17

"THE BIG CITY"

With Luise Rainer and Spencer Tracy.

Saturday, Dec. 18

Double Feature**"Fit for a King"**

With Joe E. Brown.

"MISSING WITNESS"

With John Litel.

CHRISTMAS ENTERTAINMENT

(Continued from page one)

The students in that dormitory gathered around a Christmas tree for presents and carols.

Bell Hall will entertain the Senior class at a musical reception in Bell parlors from 8 to 10:30 Sunday night. Members of the music faculty will be assisted by a chorus of girls in a program of Christmas music. The Juniors will be special hostesses on this occasion.

Mansion entertained from 8 to 9 December the eighth with a Christmas tree. A feature of the program was Emily Cheeves with her musical saw.

Mayfair Hall is sponsoring a pajama party around a Christmas tree at 10:30 December 11. On December 6 they had a picture show party.

LITERARY GUILD WILL SPONSOR WRITING OF PLAY ON CONSTITUTION

The Literary Guild is sponsoring the writing of a one-act play based on the Constitution of the United States to be entered in the national contest being held during the celebration of the sesquicentennial of the birth of our national Constitution.

Members of the Literary Guild are eligible for entrance in the contest. The prize-winning play on the campus will be staged by the Jesters. The idea was presented to the club at its last meeting by Dr. Johnson.

In addition to the books, pictures, etc. in the display of Constitution materials at the library are sources arranged by the library staff for securing additional information. This is to aid the contestants. The winner will receive a \$10.00 cash prize.

SYMPHONY ORCHESTRA

The G. S. C. W. Symphony Orchestra under the direction of Mr. Frank D'Andrea gave its first concert of the season in chapel Wednesday.

The orchestra, in following the plan of last year, is giving light orchestral concerts throughout the year, and it plans to concentrate the heavier classics in a formal concert to be given in the spring.

Mr. D'Andrea stressed the idea of an orchestra as an instrument more priceless than any other, and the most magnificent a man has to play on. He reviewed the construction of the orchestra and described each division and sub-division.

The selections played were the "Dance of the Happy Spirits" from Orpheus by Gluck, and the Andante from the Surprise Symphony by Haydn. The closing number "Farandole" by Bizet, illustrated the variety of sounds an orchestra can produce.

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"AND SO—VICTORIA"

(Continued from page two)

must remain one of the best historical novels ever written because of the loveliness of its style, its clear picture of authentically degeneracy without itself ever becoming crude, and the poignancy of its study of Christopher.

IT LOOKS FROM HERE

(Continued from page one)

The subject of Judicial review is easily possible, and quite consistent with the wording of the Constitution, for that document contains not a single word about whether the Supreme Court shall have the power to nullify statutory laws or not.

That illustrious gathering of men who sweated through a summer in Philadelphia framing the Constitution and the American people, disposed with the National Judiciary after long arguments as to the structure, function, and composition of the courts of the United States, in that section of the Constitution known as Article III.

Article III says that "The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as Congress may ordain and establish. The judges both of the Supreme and Inferior Courts shall hold their offices during good behavior." Thus is Congress given a great deal of power over the inferior federal courts, but the Supreme Court is made independent of the legislative department. The Constitution gives the power of appointment of the Supreme Court judges to the president with the approval of the Senate. In this case, though, the power of appointment does not carry with it the power of removal, because a Supreme Court may be removed from office only by impeachment, resignation or death.

Section 2 in this Article classifies the types of cases which are to be brought to the Federal Courts. It says: "The judicial power shall extend to all cases, in law and equity

arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, public ministers, and consuls; to cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states; between a state and citizens of another state; between citizens of different states; between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens, or subjects." In this phrasing the entire scope of the power of the federal courts is outlined in a paragon of conciseness and brevity.

In only two classes of cases does the Constitution give original jurisdiction to the Supreme Court. These are all cases affecting ambassadors, public ministers and consuls, and those in which the state shall be a party. In all other cases before mentioned the Supreme Court has appellate jurisdiction, which, translated, means that cases which originate in the lower courts can under certain conditions be appealed to the Supreme Court for a final judgment.

Even by means of a superficial reading of this article, one sees easily that the most significant thing connected with the whole affair is not what is stated, but what is not stated. Two thirds of the Supreme Court decisions have been explained by the interpretation of some obscure, implied power, which only the eagle eye of a Supreme Court Justice could ferret out of the Constitution. When the Constitution Fathers neglected to explain what they did mean about judicial review, they threw an argumentative bait to both schools of thinkers, liberals and conservatives, on this question.

For the fight over the theory of Judicial Supremacy began early in the nation's history. When the states were deliberating over the adoption of the Constitution, both views were even then being aired with the same

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HARPER'S SHOE SHOP

arguments quoted then as are now quoted in the twentieth century. Alexander Hamilton was writing to the people of New York, in no uncertain terms, that without the incorporation into the government of the theory of judicial review, the nation would be irrevocably headed toward the well-known rocks of governmental obsolescence. He said that the "courts ought to be considered the bulwark of a limited constitution against legislative encroachment." He continued that it was only rational to suppose that the courts were designed as an intermediate body between the people and the legislature, in order, among other things to keep the latter within the limits assigned to their authority.

The interpretation of laws, he said, "is the proper province of the courts. It is the duty of the judges to ascertain the meaning of the constitution, as well as the meaning of any particular act proceeding from the legislature. The complete independence of the courts is essential in limited constitutions."

These arguments, presented by Hamilton a hundred and fifty years ago, are the same ones presented by modern conservatives today. The arguments against the Supreme Court having such a degree of power are also today identical to those presented by the antifederalists and States Rights in 1790. They argued vehemently that for the Courts to have the right to curb the legislature was

an usurpation, and would undoubtedly lead to despotism from that division of the government. They cited many examples of tyrannies in other countries which had arisen through the grant of much power to judges.

They foresaw grave results for the embryonic nation if the Federalists had their way about the vesting of much power in the judiciary. Modern critics are now expressing the same fears with few variations for the 150 year nation. The adherents of the President's late Supreme Court plan proclaimed fiery threats about the fate of the nation as the result of allowing several crooked old gentlemen to thumb the judicial nose at Congress and the President. It is the contention that in order to have a more progressive legislation, Congress should not be held back by the apparently reflex action of the Judges thumbs and noses at every bit of progressive law making.

However as was shown by the Senate's refusal to pass the bill of the President's which would pack the Supreme Court, the American system of judicial supremacy over Congress and the executive is not yet on the wane. Whether the high tribunal will be able to keep all the power that it now possesses remains to be seen. It is doubtful that the President will let his favorite legislative protege be so severely rebuked as it has recently been without just a suggestion of executive backtalk.



*This poor old grad, in his freshman daze,
Adopted studious thoughts and ways,
He crammed his Turret Top with fact,
But never learned how one should act.*



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